IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.2075 OF 2006

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OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

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Shri Aditya Khandeparkar i/by Khaitan & Jaykar for the Petition.
Shri S.V.More, A.P.P. for the State.

CORAM : A. S. OKA, J.
DATE : SEPTEMBER 26, 2006.

P.C.:

1. Heard the Advocate appearing for the Petitioner. The challenge in this Petition under section 482 of the Code of Criminal Procedure, 1973 is to an order issuing process on a complaint filed by the second Respondent under section 138 of the Negotiable Instruments Act, 1881.

2. As held by this court in the case of V.K.Jain & Ors. Vs. Pratap V. Padode & Anr. (2005(3) Maharashtra Law Journal Page 778), the Petitioner can challenge the order issuing process by filing a revision Application before the appropriate Sessions Court. The Petitioner has not availed of

the said remedy. Only on this ground, this Petition is not entertained and the same is rejected. Notwithstanding the rejection of this Petition, it will be open for the Petitioner to file revision Application before the appropriate court. All contentions on merits are kept open.

JUDGE